

*** Filed ***
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U.S.D.C., Eastern District of New York

Safa Gelardi

Pro Se Defendant

July 15, 2025

VIA ECF

Hon. James R. Cho

United States Magistrate Judge

United States District Court

Eastern District of New York

225 Cadman Plaza East

Brooklyn, NY 11201

Re: *IME Watchdog, Inc. v. Gelardi, et al.*, Case No. 1:22-cv-01464 (PKC) (JRC)

Defendants' Letter Regarding Plaintiffs' Noncompliance with Court Orders and Motion to Compel

Dear Judge Cho:

We write regarding our ECF No. 526 Motion to Compel, which was fully submitted to the Court, and in relation to the Court's directive during the July 11, 2025, status conference, where Your Honor ordered the parties to meet and confer on July 17, 2025, regarding outstanding discovery issues. The Court also set a July 18, 2025, deadline for parties to file any necessary follow-up regarding those issues.

As of today, **Plaintiffs have failed to respond to the motion to compel by the Court-ordered deadline.** Nor have they provided any of the outstanding discovery sought therein, including—but not limited to—the IRS Form 4506-T authorization for financial documentation that was central to the motion. Their failure to respond constitutes clear noncompliance with both the Court's verbal and written orders.

Plaintiffs' repeated pattern of delay and non-responsiveness continues to prejudice us in our ability to prepare for depositions and the remainder of discovery. At this stage, we respectfully request that the Court grant our motion to compel in its entirety as unopposed.

Specifically, we ask that the Court:

1. **Grant Defendants' [ECF No. 526] Motion to Compel as unopposed pursuant to *Local Civil Rule 7.1(b)*;**
2. **Order Plaintiffs to produce the IRS Form 4506-T and other responsive damages-related documents without further delay; and**

3. **Consider cost-shifting and other appropriate relief under *Fed. R. Civ. P. 37(a)(5)(A)*, given Plaintiffs' failure to comply with the Court's explicit orders and their ongoing pattern of delay.**

The Form 4506-T is essential to verify the authenticity and accuracy of Plaintiff's claimed damages, which remain unsupported. Defendants remain committed to full compliance with the Court's directives and thank the Court for its time and attention to this matter.

We are prepared to appear or provide further documentation if necessary. Thank you for Your Honor's time and attention to this matter.

Respectfully submitted,

Safa Gelardi

Pro Se Defendant